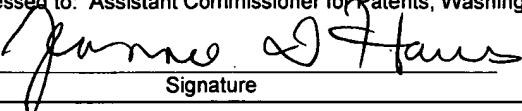
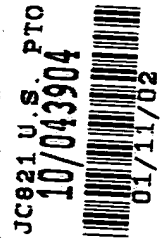


W. H. H. H. H.
2-2102

3

| | |
|---|-----------------|
| EXPRESS MAIL MAILING LABEL | |
| NUMBER | EL 830938504 US |
| DATE OF DEPOSIT | 11/11/02 |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington D.C. 20231. | |
|  Signature | |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
William F. Strutz
Thomas R. Berger
Scott W. Anderson

Group Art Unit:

Examiner:

Serial No.:

Atty. Dkt. No.: 10807.0096.DVUS02
(EISE:096—2)

Filed: Herewith

For: METHODS OF OPERATING A FOOD
WASTE DISPOSER HAVING A
VARIABLE SPEED MOTOR

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, DC 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record:

In accordance with 37 C.F.R. §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information is, or is considered to be, prior art or material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed

in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement. However, should any fees be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from **Deposit Account No. 01-2508/10807.0096.DVUS02.**

This application is a divisional application of Serial No. 09/777,129, filed February 5, 2001 and is relied upon for an earlier filing date under 35 U.S.C. 120. Although copies of the references cited in the '129 application are not required pursuant to 37 C.F.R. § 1.98(d), copies of these prior cited references have been included for the Examiner's convenience.

With reference to the Japanese references, numbers B1-B7 and B9, an English translation of these references are not available to the Applicant at this time. As such, because of the significant expense in obtaining a full translation, only a translation of the abstract is being filed herewith for B1-B7 and B9 along with copies of the Figures for those references. However, should the Examiner believe that a full translation would be necessary, Applicant will gladly provide a full translation at the Examiner's request.

Applicant respectfully requests that the listed documents be considered and made of record in the present case, and that the Examiner initial the spaces on the accompanying Form PTO-1449 to evidence the same.

Respectfully submitted,



Terril G. Lewis

Reg. No. 46,065

Attorney for Assignee

EMERSON ELECTRIC COMPANY

Howrey Simon Arnold & White, LLP
750 Bering Drive
Houston, TX 77057-2198
(713) 787-1400

Date: 1-11-2001

| | | |
|---|---|--------------------------------|
| Form PTO-1449 (modified) | Atty. Docket No. EISE:096—2 (10807.0096.DVUS02) | Serial No. |
| List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | Applicant William F. Strutz, Thomas R. Berger, Scott W. Anderson | |
| | Filing Date: herewith | Group: |
| U.S. Patent Documents <i>See Pages 1-2</i> | Foreign Patent Documents <i>See Pages 2-3</i> | Other Art <i>See Page 3</i> |

JCE21 U.S. PTO
10/043904
01/11/02

U.S. Patent Documents

| Exam. Init. | Ref. Des. | Document Number | Date | Name | Class | Sub Class | Filing Date of App. |
|-------------|-----------|-----------------|----------|------------------|-------|-----------|---------------------|
| | A1 | 2,495,983 | 01/31/50 | Richards | 241 | 257 | 05/07/46 |
| | A2 | 2,579,400 | 12/18/51 | Schindler | 241 | 257 | 05/07/46 |
| | A3 | 2,743,875 | 05/01/56 | Brezosky, et al. | 241 | 100.5 | 12/16/54 |
| | A4 | 2,782,997 | 02/26/57 | Wolff | 241 | 46 | 03/18/53 |
| | A5 | 2,951,650 | 09/06/60 | Gould | 241 | 286 | 08/30/56 |
| | A6 | 2,978,190 | 04/04/61 | Brucken, et al. | 241 | 46 | 08/30/56 |
| | A7 | 3,443,764 | 05/13/69 | Wetzel | 241 | 46 | 06/06/66 |
| | A8 | 3,534,913 | 10/20/70 | Lawrenson | 241 | 36 | 05/23/67 |
| | A9 | 3,589,624 | 06/29/71 | Smith | 241 | 46.08 | 10/24/68 |
| | A10 | 3,875,462 | 04/01/75 | Kiefer, et al. | 317 | 13 R | 02/01/73 |
| | A11 | 4,134,555 | 01/16/79 | Rosselet | 241 | 46 B | 01/25/77 |
| | A12 | 4,187,441 | 02/05/80 | Oney | 310 | 112 | 05/30/78 |
| | A13 | 4,373,676 | 02/15/83 | Sherman, Jr. | 241 | 36 | 11/24/80 |
| | A14 | 4,526,518 | 07/02/85 | Wiernicki | 417 | 420 | 09/27/84 |
| | A15 | 4,573,642 | 03/04/86 | Spelber | 241 | 46 B | 05/07/84 |
| | A16 | 4,618,790 | 10/21/86 | Kakuda, et al. | 310 | 90 | 08/13/85 |
| | A17 | 4,633,149 | 12/30/86 | Welterlin | 318 | 254 | 09/10/85 |
| | A18 | 4,665,286 | 05/12/87 | Hansen | 200 | 80 R | 03/03/86 |
| | A19 | 4,776,523 | 10/11/88 | Hurst | 241 | 46 B | 09/01/87 |
| | A20 | 4,819,460 | 04/11/89 | Obradovic | 68 | 23.7 | 06/02/87 |
| | A21 | 4,841,393 | 06/20/89 | MacLeod, et al. | 360 | 98.07 | 11/02/87 |
| | A22 | 4,917,311 | 04/17/90 | Yoshino, et al. | 241 | 36 | 09/20/89 |

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)

| | | | |
|---|--|---|--------------------------------|
| Form PTO-1449 (modified) | | Atty. Docket No. EISE:096—2 (10807.0096.DVUS02) | Serial No. |
| List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | Applicant William F. Strutz, Thomas R. Berger, Scott W. Anderson | |
| | | Filing Date: herewith | Group: |
| U.S. Patent Documents <i>See Pages 1-2</i> | | Foreign Patent Documents <i>See Pages 2-3</i> | Other Art <i>See Page 3</i> |

U.S. Patent Documents

| Exam. Init. | Ref. Des. | Document Number | Date | Name | Class | Sub Class | Filing Date of App. |
|-------------|-----------|-----------------|----------|------------------|-------|-----------|---------------------|
| | A23 | 5,129,590 | 07/14/92 | Shinya | 241 | 46.013 | 01/04/91 |
| | A24 | 5,335,866 | 08/09/94 | Narao | 241 | 46.013 | 06/24/93 |
| | A25 | 5,370,323 | 12/06/94 | Narao | 241 | 46.013 | 06/24/93 |
| | A26 | 5,646,467 | 07/08/97 | Floresta, et al. | 310 | 268 | 01/24/96 |
| | A27 | 5,676,319 | 10/14/97 | Stiggins, et al. | 241 | 46.012 | 10/23/95 |
| | A28 | 5,789,841 | 08/04/98 | Wang | 310 | 179 | 05/02/96 |
| | A29 | 5,982,069 | 11/09/99 | Rao | 310 | 208 | 06/30/98 |
| | A30 | 6,007,006 | 12/28/99 | Engel, et al. | 241 | 46.014 | 07/23/98 |
| | A31 | 6,014,003 | 01/11/00 | French | 318 | 701 | 07/23/99 |
| | A32 | 6,051,942 | 04/18/00 | French | 318 | 254 | 04/12/96 |
| | A33 | | | | | | |

Foreign Patent Documents

| Exam. Init. | Ref. Des. | Document Number | Date | Country | Class | Sub Class | Translation Yes/No |
|-------------|-----------|-----------------|----------|---------|-------|-----------|--------------------|
| | B1 | JP53047908 | 04/28/78 | Japan | H02K | 21/24 | Abstract only |
| | B2 | JP58130759 | 08/04/83 | Japan | H02K | 23/54 | Abstract only |
| | B3 | JP59101720 | 06/12/84 | Japan | H01H | 11/00 | Abstract only |
| | B4 | JP60249859 | 12/10/85 | Japan | H02K | 29/00 | Abstract only |
| | B5 | JP61161946 | 07/22/86 | Japan | H02K | 23/54 | Abstract only |
| | B6 | JP61161947 | 07/22/86 | Japan | H02K | 23/54 | Abstract only |
| | B7 | JP61161948 | 07/22/86 | Japan | H02K | 29/00 | Abstract only |
| | B8 | 0 677 915 A1 | 10/18/95 | EPO | H02K | 23/54 | Yes |

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)

| | | | |
|---|--|---|------------|
| Form PTO-1449 (modified) | | Atty. Docket No. EISE:096—2 (10807.0096.DVUS02) | Serial No. |
| List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | Applicant William F. Strutz, Thomas R. Berger, Scott W. Anderson | |
| | | Filing Date: herewith | Group: |
| U.S. Patent Documents <i>See Pages 1-2</i> | Foreign Patent Documents <i>See Pages 2-3</i> | Other Art <i>See Page 3</i> | |

Foreign Patent Documents

| Exam. Init. | Ref. Des. | Document Number | Date | Country | Class | Sub Class | Translation Yes/No |
|-------------|-----------|-------------------|----------|---------|-------|-----------|--------------------|
| | B9 | JP2000050604 | 02/18/00 | Japan | H02K | 29/00 | Abstract only |
| | B10 | WO 00/64035 | 10/26/00 | PCT | H02K | 21/24 | Yes |
| | B11 | JP2001121021 A | 05/08/01 | Japan | B02C | 21/00 | Yes |
| | B12 | | | | | | |

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

| Exam. Init. | Ref. Des. | Citation |
|-------------|-----------|--|
| | C1 | Loarie, J.; Wang, C. "Novel Brushless DC Motors: Axial-Air-Gap Brushless DC Technology Targets Specific Applications." <i>Appliance Manufacturer</i> 2001, 1: 21-22. |
| | C2 | |

EXAMINER:**DATE CONSIDERED:**

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)